

part and provides disadvantaged youth with opportunities for employment, education, leadership development, and training in the construction or rehabilitation of housing for homeless individuals and members of low- and very low-income families.

(Pub. L. 101-625, title IV, § 457, as added Pub. L. 102-550, title I, § 164, Oct. 28, 1992, 106 Stat. 3731; amended Pub. L. 103-382, title III, § 394(d), Oct. 20, 1994, 108 Stat. 4027; Pub. L. 105-244, title I, § 102(a)(13)(M), Oct. 7, 1998, 112 Stat. 1621.)

REFERENCES IN TEXT

Section 7601(8) of title 20, referred to in par. (10), was in the original section 7004(a) of the Elementary and Secondary Education Act of 1965, and was translated as if it read section 7501(8) of that Act to reflect the probable intent of Congress, because the Elementary and Secondary Education Act of 1965 does not contain a section 7004, and section 7501(8) defines limited English proficiency.

AMENDMENTS

1998—Par. (9). Pub. L. 105-244 substituted “section 1001” for “section 1141(a)”.

1994—Par. (10). Pub. L. 103-382 substituted “section 7601(8) of title 20” for “section 3283 of title 20”.

EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by Pub. L. 105-244 effective Oct. 1, 1998, except as otherwise provided in Pub. L. 105-244, see section 3 of Pub. L. 105-244, set out as a note under section 1001 of Title 20, Education.

TERMINATION OF TRUST TERRITORY OF THE PACIFIC ISLANDS

For termination of Trust Territory of the Pacific Islands, see note set out preceding section 1681 of Title 48, Territories and Insular Possessions.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 12899b of this title.

§ 12899g. Management and technical assistance

(a) Secretary assistance

The Secretary may enter into contracts with a qualified public or private nonprofit agency to provide assistance to the Secretary in the management, supervision, and coordination of Youthbuild programs receiving assistance under this part.

(b) Sponsor assistance

The Secretary shall enter into contracts with a qualified public or private nonprofit agency to provide appropriate training, information, and technical assistance to sponsors of programs assisted under this part.

(c) Application preparation

Technical assistance may also be provided in the development of program proposals and the preparation of applications for assistance under this part to eligible entities which intend or desire to submit such applications. Community-based organizations shall be given first priority in the provision of such assistance.

(d) Reservation of funds

In each fiscal year, the Secretary shall reserve 5 percent of the amounts available for activities under this part pursuant to section 12870 of this

title to carry out subsections (b) and (c) of this section.

(Pub. L. 101-625, title IV, § 458, as added Pub. L. 102-550, title I, § 164, Oct. 28, 1992, 106 Stat. 3733.)

§ 12899h. Contracts

Each Youthbuild program shall carry out the services and activities under this part directly or through arrangements or under contracts with administrative entities designated under section 1513(b)(1)(B) of title 29, with State and local educational agencies, institutions of higher education, State and local housing development agencies, or with other public agencies, including agencies of Indian tribes, and private organizations.

(Pub. L. 101-625, title IV, § 459, as added Pub. L. 102-550, title I, § 164, Oct. 28, 1992, 106 Stat. 3733.)

§ 12899h-1. Ineligibility of Indian tribes

Indian tribes, Indian housing authorities, and other agencies primarily serving Indians or Indian areas shall not be eligible applicants for amounts made available for assistance under this part for fiscal year 1998 and fiscal years thereafter.

(Pub. L. 101-625, title IV, § 460, as added Pub. L. 104-330, title V, § 504(a)(2), Oct. 26, 1996, 110 Stat. 4044; amended Pub. L. 105-276, title V, § 595(e)(15), Oct. 21, 1998, 112 Stat. 2659.)

PRIOR PROVISIONS

A prior section 460 of Pub. L. 101-625 was renumbered section 461, and is classified to section 12899i of this title.

AMENDMENTS

1998—Pub. L. 105-276 substituted “1998” for “1997”.

EFFECTIVE DATE

Section effective Oct. 1, 1997, except as otherwise expressly provided, see section 107 of Pub. L. 104-330, set out as a note under section 4101 of Title 25, Indians.

Section 504(b) of Pub. L. 104-330 provided that: “The amendments under subsection (a) [enacting this section] shall apply with respect to amounts made available for assistance under subtitle D of title II of the Cranston-Gonzalez National Affordable Housing Act [42 U.S.C. 12899 et seq.] for fiscal year 1998 and fiscal years thereafter.”

§ 12899i. Regulations

The Secretary shall issue any regulations necessary to carry out this part.

(Pub. L. 101-625, title IV, § 461, formerly § 460, as added Pub. L. 102-550, title I, § 164, Oct. 28, 1992, 106 Stat. 3733; renumbered § 461, Pub. L. 104-330, title V, § 504(a)(1), Oct. 26, 1996, 110 Stat. 4043.)

CHAPTER 131—HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

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§ 12901. Purpose

The purpose of this chapter¹ is to provide States and localities with the resources and incentives to devise long-term comprehensive strategies for meeting the housing needs of persons with acquired immunodeficiency syndrome and families of such persons.

(Pub. L. 101-625, title VIII, § 852, Nov. 28, 1990, 104 Stat. 4375; Pub. L. 102-550, title VI, § 606(j)(1), Oct. 28, 1992, 106 Stat. 3810.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this title”, and was translated as reading “this subtitle”, meaning subtitle D (§§ 851-863) of title VIII of Pub. L. 101-625, to reflect the probable intent of Congress.

AMENDMENTS

1992—Pub. L. 102-550 inserted before period at end “and families of such persons”.

SHORT TITLE

Section 851 of Pub. L. 101-625 provided that: “This subtitle [subtitle D (§§ 851-863) of title VIII of Pub. L. 101-625, enacting this chapter] may be cited as the ‘AIDS Housing Opportunity Act’.”

REGULATIONS

Section 606(k) of Pub. L. 102-550 provided that:

“(1) INTERIM REGULATIONS.—Not later than the expiration of the 30-day period beginning on the date of the enactment of this Act [Oct. 28, 1992], the Secretary of Housing and Urban Development shall submit to the Congress a copy of proposed interim regulations implementing subtitle D of title VIII of the Cranston-Gonzalez National Affordable Housing Act [42 U.S.C. 12901 et seq.] (as amended by this section). Not later than the expiration of the 45-day period beginning on the date of the enactment of this Act, but not before the expira-

tion of the 15-day period beginning upon the submission of the proposed interim regulations to the Congress, the Secretary shall publish interim regulations implementing such subtitle (as amended), which shall take effect upon publication.

“(2) FINAL REGULATIONS.—Not later than the expiration of the 90-day period beginning upon the publication of interim regulations under paragraph (1), the Secretary shall issue final regulations implementing subtitle D of title VIII of the Cranston-Gonzalez National Affordable Housing Act (as amended by this section) after notice and opportunity for public comment regarding the interim regulations, pursuant to the provisions of section 553 of title 5, United States Code (notwithstanding subsections (a)(2), (b)(B), and (d)(3) of such section). The duration of the period for public comment under such section 553 shall be not less than 60 days, and the final regulations shall take effect upon issuance.”

§ 12902. Definitions

For purposes of this chapter:

(1) The term “acquired immunodeficiency syndrome and related diseases” means the disease of acquired immunodeficiency syndrome or any conditions arising from the etiologic agent for acquired immunodeficiency syndrome.

(2) The term “applicant” means a State, a unit of general local government, or a non-profit organization eligible to receive assistance under this chapter.

(3) The term “low-income individual” means any individual or family whose incomes do not exceed 80 percent of the median income for the area, as determined by the Secretary of Housing and Urban Development, with adjustments for smaller and larger families, except that the Secretary may establish income ceilings higher or lower than 80 percent of the median income for the area if the Secretary finds that such variations are necessary because of prevailing levels of construction costs or unusually high or low family incomes.

(4) The term “grantee” means a State or unit of general local government receiving grants from the Secretary under this chapter.

(5) The term “metropolitan statistical area” means a metropolitan statistical area as established by the Office of Management and Budget. Such term includes the District of Columbia.

(6) The term “locality” means the geographical area within the jurisdiction of a local government.

(7) The term “recipient” means a grantee or other applicant receiving funds under this chapter.¹

(8) The term “Secretary” means the Secretary of Housing and Urban Development.

(9) The term “State” means a State of the United States, the District of Columbia, and the Commonwealth of Puerto Rico, or any agency or instrumentality thereof that is established pursuant to legislation and designated by the chief executive to act on behalf of the jurisdiction with regard to provisions of this chapter.

(10) The term “unit of general local government” has the same meaning as in section 12704 of this title.

¹ See References in Text note below.

¹ See References in Text note below.